

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Joseph Dolinar III

Debtor

NO. 18-24648 CMB

Community Loan Servicing, LLC fka Bayview Loan
Servicing, LLC

Movant

CHAPTER 13

Related to Docs 141 and 149

v.

Joseph Dolinar III

Mila Dolinar

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondent

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Community Loan Servicing, LLC fka Bayview Loan Servicing, LLC, has filed a motion for relief from stay due to delinquent mortgage payments on the mortgage secured by Debtor's real property at 102 Stuart Street, Bethel Park, PA 15102. (Doc. 141);

WHEREAS, Debtor has filed a response opposing relief from the automatic stay (Doc. 149)

WHEREAS, the parties enter into this Stipulation to resolve the motion for relief from the automatic stay.

It is therefore Stipulated and agreed as follows:

1. The Debtor shall file an Amended Chapter 13 Plan on or before 11/5/2021, capitalizing the arrears to the trustee in the plan. (Doc. 76)

2. The automatic stay is terminated as it affects the interests of the Movant with respect to Debtor's real property at 102 Stuart Street, Bethel Park, PA 15102, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 5-8, below.

3. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtor shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due.

4. Time is of the essence as to all plan payments going forward.

5. For the duration of this bankruptcy case, in the event that the Chapter 13 Trustee has not received a full plan payment by the last day of the month in which the Debtor's payment is due, as indicated by the Chapter 13 Trustee's online records, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect to Debtor's real property at 102 Stuart Street, Bethel Park, PA 15102, upon the filing of a Certification of Default by Movant, without further hearing or without entry of an additional order, if Debtor has failed to cure the default fifteen (15) days after written notice of default to Debtor's counsel.

6. Relief from the automatic stay shall be effective immediately upon conversion of Debtor's case to a case under Chapter 7.

7. In the event that the automatic stay is terminated as provided by this Order, then the Trustee shall make no further disbursements to Respondent on account of its secured claim, unless directed otherwise by further Order of Court.

Consented to by:

/s/Sean Logue, Esquire

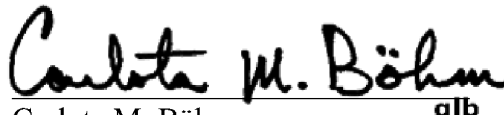
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/s/Maria D. Miksich, Esquire

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On this 10th day of November, 2021, it is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED and the hearing in this matter scheduled for 11/10/2021 at 10:00 a.m. is CANCELLED.

By the Court,

Handwritten signature of Carlota M. Böhm in black ink.

Carlota M. Böhm ^{glb}
Chief United States Bankruptcy Judge

FILED
11/10/21 7:30 am
CLERK
U.S. BANKRUPTCY
COURT - WDPa

In re:
Joseph Dolinar, III
Debtor

Case No. 18-24648-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 10, 2021

User: gamr
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 12, 2021:

Recip ID	Recipient Name and Address
db	+ Joseph Dolinar, III, 102 Stuart Street, Bethel Park, PA 15102-3004

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 12, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor BAYVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor Municipality of Bethel Park jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor Bethel Park School District jhunt@grblaw.com
Jill Locnikar	on behalf of Creditor United States of America Department of the Treasury Internal Revenue Service jill.locnikar@usdoj.gov,

District/off: 0315-2

User: gamr

Page 2 of 2

Date Rcvd: Nov 10, 2021

Form ID: pdf900

Total Noticed: 1

patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Maria Miksich

on behalf of Creditor Community Loan Servicing LLC mmiksich@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Sean Logue

on behalf of Debtor Joseph Dolinar III pittbankruptcy@gmail.com, lesliebrown.paralegal@gmail.com

TOTAL: 12